

**Notice of Allowability**

Application No.

09/660,062

Examiner

Adolfo Nino

Applicant(s)

FITZGERALD ET AL.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final filed 12/8/03.
2. ☒ The allowed claim(s) is/are 3, 10-23, 26-28, 34, 47, 48, 52-62 and 64-66.
3. ☒ The drawings filed on 04 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No. <u>copy 10/00</u> | 7 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                       | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|   | 9 <input type="checkbox"/> Other  |



ANTHONY DINKINS  
PRIMARY EXAMINER

***Information Disclosure Statement***

The documents numbered 9 through 14 in the OTHER DOCUMENTS section of the information disclosure statement (IDS) filed on October 30, 2000 have been considered even though they do not have a date, but the Applicants have admitted them as prior art which means that they have publication dates at least one year prior to the filing date of the present application. The consideration of these documents is noted in the enclosed duplicate copy of the form P10-1449 filed December 8, 2003. The other documents in the duplicate copy have been crossed out since they were considered in a previous office action filed 3/31/03.

***Allowable Subject Matter***

Claims 3, 10-23, 26-28, 34, 47, 48, 52-62 and 64-66 are allowed.

The following is an examiner's statement of reasons for allowance:

The primary reason for the indication of the allowability of claim 34, noted in office action filed 9/15/03, is the inclusion therein of the limitation of "first and second opposed locating projections extending inwardly from said first and second opposed walls, said first and second locating projections disposed in said first and second opposed inwardly extending corrugations" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The indication of the allowability of independent claims 52, 54, 56-59, 61 and 62 were noted in the office action filed 3/31/03 where the Action indicated that original

Claims 10-13, 15, 20, 31, 36, 37, 39 and 51 are directed to allowable subject matter.

Original Claims 10-13, 15, 20, 31, 36, 37, 39 and 51 were rewritten as new Claims 52-62, respectively, by the Applicants in the amendment filed 6/20/03.

The primary reason for the indication of the allowability of claims 3, 14, 16-19, 21-23, 52, 53 and 64 is the inclusion therein of the limitation of "wherein said clamp includes at least one inwardly extending locating projection" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claims 54 and 55 is the inclusion therein of the limitation of "wherein said clamp includes first and second opposed, inwardly extending locating projections" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claims 10-13, 20 and 56 is the inclusion therein of the limitation of "wherein said clamp includes first and second opposed walls and a living hinge joining said first and second walls, said living hinge and said first and second walls defining a cavity to receive said cap" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claim 57 is the inclusion therein of the limitation of "wherein said cap includes an outwardly extending positioning projection and said clamp has a locating hole defined therein and adapted to

receive said positioning projection" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claims 15 and 58 is the inclusion therein of the limitation of "wherein said means for retaining includes a clamp, said clamp including at least one inwardly extending locating projections" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claims 59 and 60 is the inclusion therein of the limitation of "wherein said clamp includes at least one inwardly extending locating projection" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claims 26-28 and 61 is the inclusion therein of the limitation of "wherein said clamp includes at least one inwardly extending locating projection and said cap includes an inwardly extending channel receiving said inwardly extending projection" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

The primary reason for the indication of the allowability of claims 47, 48, 62, 65, and 66 is the inclusion therein of the limitation of "wherein said step of securing a clamp includes inserting a locating projection of the clamp into a crotch of the stub connection" in combination with the other claim limitations. This limitation was neither disclosed nor taught by the cited prior art, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adolfo Nino whose telephone number is (703) 305-1071. The examiner can normally be reached on M-F (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A Reichard can be reached on (703) 308-3682. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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